

BELLE CHASSE ACADEMY

SECLUSION/RESTRAINT PROCEDURES

Introduction

This document provides procedures for BCA employees' using, reporting, and documenting seclusion and restraint of students with disabilities. These procedures are emergency safety measures to control the actions of such students.

This document is a work in progress and does not include the totality of interventions and strategies that may be used by BCA and its personnel to address the educational needs of students with disabilities.

Definitions

EMERGENCY - A sudden, generally unexpected set of circumstances that requires immediate action.

IMMINENT RISK OF HARM – An immediate and impending threat of a person causing substantial physical injury to self or others. The risk is “imminent” if it is likely to occur within moments.

MECHANICAL RESTRAINT - The application of any device or object used to limit a person's movement. The term does NOT include the following:

- A protective or stabilizing device used in strict accordance with the manufacturer's instructions for proper use and which is used in compliance with orders issued by an appropriately licensed health care provider.
- Adaptive devices or mechanical supports used to achieve proper body position, balance or alignment to allow greater freedom of mobility and movement than would be possible without the use of such device or supports
- Vehicle safety restraints when used as intended during the transport of a student in a moving vehicle

- Orthopedically prescribed devices that permit a student to participate in activities without risk of harm
- Any device used by a duly licensed law enforcement officer in the execution of his official duties.

PHYSICAL RESTRAINT -- Bodily force used to limit a person's movement. The term does NOT include the following:

- Consensual, solicited, or unintentional contact.
- Momentary blocking of a student's action if said action is likely to result in harm to the student or any other person.
- Holding of a student by a school employee, for the purpose of calming or comforting the student provided the student's freedom of movement or normal access to his/her body is not restricted.
- Minimal physical contact for the purpose of safely escorting a student from one area to another. Physical escort does not include the unforced holding of a student's hand or other physical prompts for the purpose of safely guiding the student from one task to another or directing the student in an educational activity.
- Minimal physical contact for the purpose of assisting the student in completing a task.

POSITIVE BEHAVIOR INTERVENTIONS AND SUPPORT - A systematic approach to using evidence-based practices and data-driven decision making when addressing student behavior in order to improve school climate and culture.

SECLUSION - A procedure that isolates and confines a student in a separate, confined area until he/she is no longer poses an imminent risk of harm (i.e., causing substantial injury) to self or others. Seclusion does not include time-out, which is a behavior management technique that is part of an approved program, involving the monitored separation of the student in a non-locked setting, and is implemented for the purpose of calming a student. The term also does not include in-school suspension or student-requested breaks.

SECLUSION AREA - A separate, confined area, used on an individual basis, in which a student is removed from the regular classroom setting for a limited time to allow the student the opportunity to regain control in a private setting and from which the student is involuntarily prevented from leaving.

SCHOOL EMPLOYEE - A teacher, paraprofessional, administrator, support staff member, or a

provider of related services.

TIME OUT – A behavior reduction procedure that involves the absence of positive reinforcement for a limited period of time. Time out may include: (1) *Inclusionary time-out* where the student remains in sight and sound of others in the classroom; (2) *Exclusionary time-out* where the student leaves the learning environment and goes to another location but is not isolated and prevented from leaving. These forms of time-out are NOT considered by BCA to constitute seclusion but must be monitored and documented to ensure that repetitive incidents of time-out do not occur and, if occurring, do not result in substantial isolation of the student from instructional activities. IEP team shall meet and revise IEP where there is repetitive use of Timeout occurring (more than 2x\week) for more than a three week period.

WRITTEN GUIDELINES AND PROCEDURES - The written guidelines and procedures adopted by a school's governing authority regarding appropriate responses to school behavior that may require immediate intervention. Such procedures include, but are not limited to, methods for preventing student violence, self-injurious behavior, and suicide, including de-escalation of potentially dangerous behavior occurring among groups of students or with an individual student.

SECLUSION

Seclusion is permitted only:

- For behaviors that involve an imminent risk of harm;
- As a LAST resort when de-escalation attempts have failed and the student continues to pose an imminent threat to self or others; and,
- For that period of time needed for minimizing the imminent risk of harm while summoning the assistance of crisis intervention personnel, emergency medical services personnel, and/or law enforcement officers when a crime has been committed.

APPROPRIATE USE OF SECLUSION

School personnel may use seclusion ONLY when the student poses an immediate risk of danger to self or others, as more fully described below:

- The student is in control of a weapon;
- Isolation is needed to break up a fight that involves a substantial risk of physical injury to anyone involved;
- The student poses a viable threat of imminent harm to self or others;
- Isolation is required/specified by a student's IEP, Section 504 Plan, and/or Behavior Intervention Plan for behaviors that involve an imminent risk of harm. Seclusion can only be required in an individualized plan for behaviors that involve an imminent risk of harm. This standard cannot be weakened or gutted by permitting seclusion or restraint in less

- threatening situations; and,
- Other such incidents involving imminent risk of substantial injury to the student or others.

Seclusion used for reasons other than imminent risk of harm or contrary to the procedures listed above are strictly prohibited. Seclusion SHALL NOT be used as a disciplinary consequence for minor infractions or to otherwise isolate the student from needed educational instruction.

Seclusion Area

BCA does not use a seclusion room. Its use of a Seclusion Area is permitted only under the following conditions:

- As a LAST resort if and when less restrictive measures, such as positive behavioral supports, constructive and non-physical de-escalation, and restructuring of a student's environment, have failed to stop a student's actions that pose an imminent risk of harm.
- By a school employee who uses accepted methods of escorting a student to a seclusion room, placing a student in a seclusion area and supervising a student while he/she is in the seclusion area.
- The student must be continually supervised by a school employee who must be able to see and hear the student the entire time the student is confined to the seclusion area;
- Only one student shall be placed in a seclusion area at any given time and the school employee supervising the student is able to see and hear the student the entire time the student is placed in the seclusion area.
- The area is free of any object that poses a danger to the student placed in the area.
- The area is entirely visible and is of a size appropriate for a student's size, behavior, and chronological and developmental age.
- The area has a ceiling height and heating, cooling, ventilation, and lighting systems comparable to operating classrooms being used in the school.

When the use of a seclusion room is necessary, the student with a disability should be escorted to the seclusion area without the use of physical force. Physical prompts are permissible for the purpose of safely guiding the student from one area to another, but care should be taken to limit the use of physical contact with the student and to avoid the use of physical force. Verbal redirection and other means of positive support should be used before resorting to any physical means.

Seclusion including the use of a Seclusion Room is prohibited:

- For addressing behaviors such as general noncompliance, self-stimulation, and academic

refusal. (Such behaviors SHALL be responded to with less stringent and less restrictive techniques, including PBIS);

- As a form of discipline or punishment;
- As a threat to control, bully, or obtain behavioral compliance;
- For the convenience of school personnel;
- When unreasonable, unsafe, or unwarranted;
- If the student is known to have any medical or psychological condition that precludes such action (as certified by a licensed health care provider in a written statement provided to the school in which the student is enrolled); and,
- After the substantial risk of harm no longer exists.

TIME OUT

School personnel may separate a student in Time Out for a limited duration as a behavior management technique, as long as the student is monitored at all times and is provided instructional activities. TIME OUT is not considered seclusion, however, TIME OUT periods must be documented to ensure that repetitive incidents of TIME OUT do not occur and to ensure that repetitive behaviors are addressed appropriately. The student's IEP Team shall meet and revise the IEP where there is repetitive use of Time Out occurring more than 2x\week for more than a three week period. The IEP Team shall also consider the need for a Functional Behavioral Assessment (FBA) and Behavior Intervention Plan (BIP).

Mechanical Restraint

No student shall be subjected to any form of mechanical restraint by school employees.

Physical Restraint

Physical Restraint is permitted only under the following conditions:

- If the student's behavior presents a threat of imminent risk of harm to self or others;
- As a last resort to protect the safety of self and others;
- To the degree necessary to stop dangerous behavior;
- In a manner that causes NO PHYSICAL INJURY to the student;
- Results in the least possible discomfort to the student;
- Does not interfere in any way with a student's breathing or ability to communicate with

others;

- Does not place excessive pressure on the student's chest or back or that causes asphyxia;
- Does not involve the use of any form of mechanical restraint; and,
- Applied only in a manner that is directly proportionate to the circumstances and to the student's size, age, and severity of behavior.

Physical Restraint is prohibited:

- As a form of discipline or punishment;
- As a threat to control, bully, or obtain behavioral compliance;
- For the convenience of school personnel;
- When unreasonable, unsafe, or unwarranted; or,
- If the student is known to have any medical or psychological condition that precludes such action (as certified by a licensed health care provider in a written statement provided to the school in which the student is enrolled).

MONITORING, DOCUMENTATION, AND REPORTING

Seclusion and Restraint shall be continuously monitored, thoroughly documented, and data collected shall be analyzed as follows:

- The teacher or other adult involved in the seclusion/restraint will within five minutes notify the School Leader or his/her designee who will immediately proceed to the area of incident. The teacher or other adult involved in the seclusion/restraint shall verbally call for assistance in notifying the School Leader or his/her designee within five minutes if he/she is unable to do so himself/herself.
- The School Leader or his/her designee will notify the parent/guardian by telephone as soon as possible, but within the same school day as the incident. If the parent/guardian cannot be reached, the School Leader or his/her designee will notify the emergency contact whose name and number were provided for the child.
- The teacher or other adult involved in the seclusion/restraint will continuously monitor any student placed in seclusion or physically restrained. Such monitoring shall be documented every 15 minutes on the Seclusion/Restraint Incident Reporting Form (SRIR) (see Appendix).
- A student shall be released/removed from seclusion or physical restraint as soon as the substantial risk of harm no longer exists.
- Parent or guardian shall be notified as soon as possible. The School Leader or his/her designee shall document all efforts, including conversations, phone calls, electronic

communications, and home visits, to notify the parent of a student who has been placed in seclusion or physically restrained.

- Parent or guardian shall also be provided with written notice within 24 hours of EACH incident of seclusion/restraint. The notice shall include the following information:
 - Reason for seclusion/restraint
 - Description of procedures used
 - Length of time of seclusion/ physical restraint
 - Names and titles of school employees involved.
- Director/Supervisor of Special Education shall be notified any time student is placed in seclusion or physically restrained
- Any school employee who uses seclusion or physical restraint shall complete Form A (see Appendix), the Seclusion/Restraint Incident Reporting Form (SRIR), for each incident of restraint and seclusion as soon as possible, and no later than by the end of the same day the incident occurred.
- School employee shall submit SRIR to the School Leader not later than the school day immediately following the day of the seclusion/restraint.
- Once the incident report is completed/signed:
 - The school will retain the original incident report.
 - The School Leader or his/her designee will email or fax the incident report to the _____ of Special Education within 24 hours of the incident.
 - The School Leader or his/her designee will send a written copy of the incident report to the parent/guardian via certified mail through the USPS within 24 hours of the incident.
- The Special Education Teacher with IEP responsibility for the involved student shall be responsible for entering the incident through the Special Education Reporting (SER) system.
- Seclusion/Seclusion Area/Restraint Incident Reporting data must be analyzed by the IEP Team at least annually. These procedures should be reviewed and revised as necessary during the interim period to ensure appropriateness and effectiveness.
- Data will be used to track the number of incidents of seclusion by student, staff, and type of incidents; description and number of injuries sustained by student and/or staff and the nature of any such injuries; and other factors such as precipitating events and other observable factors.
- Each incident of seclusion and restraint must be reported to the LDOE through the Special

Education Reporting (SER) system. At a minimum, all instances must be reported on a monthly basis. The Special Education Teacher with IEP responsibility for the student will be responsible for entering the incident into SER and notifying the Director of Special Education.

DATA-DRIVEN PROGRAM REVISIONS

When a student with a disability is involved in five (5) incidents of restraint/seclusion in a single school year*, the IEP Team shall reconvene to consider developing a Functional Behavior Assessment (FBA) and shall at a minimum review/revise the student's behavior intervention plan to include any appropriate and necessary behavioral supports including PBIS.

Thereafter, if the student's challenging behavior continues or escalates requiring ongoing, repeated use of seclusion or physical restraint practices, the Special Education Director or his/her designee shall review the student's plans at least once every three weeks.

*NOTE: Five (5) incidents in a school year includes the cumulative number of incidents of restraint AND seclusion. (e.g., 2 restraints + 3 seclusions = 5 incidents).

TRAINING REQUIREMENTS

BCA maintains nine positions for personnel certified by the Crisis Prevention Institute (CPI) in the Non-Violent Crisis Intervention Program (NCI). These positions are Director of Behavioral Supports (Dean of Behavior), In-school Detention Coordinator, Chill-Out Coordinator, two child-specific aides of students with occasional risk behavior, and three teachers by school physical location.

BCA's training for NCI certification includes:

1. Preventive Techniques
 - a. Understanding of Crisis Development Model
 - b. Non-verbal and Para-verbal communication
 - c. Understanding defensive behavior
 - d. Precipitating factors
 - e. Physical Intervention-Disengagement skills
2. Physical Restraints
 - a. Knowledge of restraints/holding skills and the risk of improper restraint
 - b. Execution of approved restraints/holding skills
3. Re-establishing communication with student for reentering the classroom.

4. Continuing Education – Faculty and staff members with CPI certification must re-certify every four years and complete a refresher course every two years.

DISSEMINATION REQUIREMENTS

1. These procedures are posted on BCA’s website for parent/guardian and employee access and a hard copy will be kept in _____.
2. Parents/guardians without internet access or who want a paper copy may request a copy from the school. The Student Handbook will contain a statement about how and where to access these procedures.
3. Immediately following approval by BCA’s Board of Directors a copy of these procedures will be e-mailed to the Louisiana Department of Education.

Proposed: October 2, 2017

Adopted: October 2, 2017

